

REMARKS

The Examiner has again rejected Claims 1, 2, 4-10, 12-18, and 20-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No.: 6,018,741 to Howland et al., in view of U.S. Patent No.: 6,651,249 to Waldin et al. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

Specifically, the subject matter of former dependent Claims 4-6, and 25-26 has been incorporated into each of the independent claims. Since such claims have already been considered, applicant asserts that the amendments made hereinabove would not require a new search and/or consideration.

In the latest action, the Examiner dismisses the following functionality as meeting an objected-oriented design where the concept of inheritance is used to update attributes at different levels of hierarchy:

“updating an element of the list of attributes if the grouping attribute indicates that the element may be updated without also updating other elements in the list of attributes;  
updating the element and all other elements of the list of attributes if the grouping attribute indicates that updating the element requires all other elements to be updated; and  
updating the element, all other elements, and all subordinate elements of the list of attributes if the grouping attribute indicates that updating the element requires all subordinate elements of the list of attributes to be updated” (see this or similar language in each of the independent claims).

In response, applicant argues that, whether this is true or not, the Examiner has not adequately considered the fact that applicant does not only claim such functionality, but rather also claims that such functionality is carried out under the control of a unique “grouping attribute” that is included in a list with a series of one or attributes, for specifically controlling the updating in the foregoing manner. Thus, only applicant teaches and claims a specifically functioning grouping

attribute that is maintained in the list of attributes that are to be updated, which clearly constitutes a more effective way of managing the updating of such elements.

This optional advantage is clearly supported by the originally-filed specification. See excerpt below:

“Managing such a list of attributes for virus protection on a large computer network, a Corporate Intranet for example, is difficult because there are many computers and, possibly, many sites separated by large distances. To ensure that the list of attributes provides meaningful protection, the attributes are often managed globally for the network. In order to do so, a security administrator must visit each node in the hierarchy of computing nodes, either in person or across the network, to establish attributes for a software scanner located on each node.

However, a specific node may require a customized list of attributes in order to accommodate a specific hardware configuration or specific functionality. When a custom list of attributes is used for a specific computing device, the security administrator must remember to reset the custom settings at the node whenever the general list of attributes is changed. This can be a time-consuming task if many nodes in the network must be customized.”

These problems and/or other problems may be optionally overcome by applicant’s novel claimed grouping attribute that is maintained in the list of attributes that are to be updated, for controlling the updating of each of the elements in three different ways, in the specifically claimed manner. To date, the Examiner has simply failed to address this particularly beneficial feature in the security arts, and has, instead, employed deficient references from *non-analogous* arts (i.e. only one security patent has been cited and used).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference

(or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met. Specifically, the prior art references, when combined, fail to teach or suggest all the claim limitations, as noted above.

Nevertheless, despite this significant deficiency and in the spirit of expediting the prosecution of the present application, applicant has amended each of the independent claims to include the subject matter of former dependent Claims 4-6, and 25-26. Again, since such claims have been already considered, applicant asserts that the amendments made hereinabove would not require a new search and/or consideration.

With respect to the subject matter of former dependent Claims 4-6 (now incorporated into each of the independent claims), it is noted that the Examiner has not fully addressed applicant's previously presented arguments regarding as to why such claimed subject matter is deemed allowable. For example, applicant has asserted that at least all of the underlined portions below are simply not disclosed by the Examiner's proposed prior art:

"wherein updating the element involves overwriting the value with another value that may be identical to an original value" (emphasis added – see former Claim 4 et al., now incorporated into each of the independent claims);

"wherein updating the element and all other elements of the list of attributes involves overwriting each value with another value that may be identical to an original value" (emphasis added - see former Claim 5 et al., now incorporated into each of the independent claims); and

"wherein updating the element, all other elements in the list of attributes, and all subordinate elements of the list of attributes involves overwriting each value with another value that may be identical to an original value for each element and each subordinate element of the list of attributes" (emphasis added - see former Claim 6 et al., now incorporated into each of the independent claims).

Still yet, with respect to the subject matter of former Claims 25-26 (now incorporated into each of the independent claims), the Examiner has rejected the same under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No.: 6,018,741 to Howland et al., in view of U.S. Patent No.: 6,651,249 to Waldin et al., and further in view of U.S. Patent No.: 6,543,046 to Lunt.

Specifically, the Examiner relies on the following excerpts from Lunt to make a prior art showing of applicant's claimed "wherein the attribute value includes a second list of attributes used by the security scanner program to control the operation of the security scanner program; wherein the second list of attributes includes a second grouping attribute associated with each of the attributes of the second list."

#### "Object Structures

An object structure defines a hierarchical grouping of attributes on a business object. The attributes of a business object are often organized into functional groupings that reflect the use of that business object in a particular setting. These groupings can be nested into a hierarchy, with an attribute (and its corresponding attribute descriptor) at each of the "leaves."

An example of an object structure for the business object "Customer" 1 is shown in FIG. 1. Each node 2, 12 represents an attribute on the Customer object 1 with an appropriate attribute descriptor. The node 2 for "general information" includes groups for company identification 3, ship-to information 7, and bill-to information 10. The group for company identification 3 includes leaves for customer number 4, customer name 5, and stock identifier 6. The group for ship-to information 7 includes leaves for ship-to address 8 and preferred carrier 9. The group for bill-to information 10 includes a leaf for bill-to address 11.

The node 12 for "accounting" includes groups for credit 13, billing 16, and bill-to information 18. The group for credit 13 includes leaves for credit limit 14 and credit code 15. The group for billing 16 includes a leaf for AP contact 17. The group for bill-to information 18 includes a leaf for bill-to address 19.

Each of these groups contains attributes as specified in FIG. 1 The

attributes that are appropriate for this particular representation are grouped under at least one functional group. This grouping of attributes into a functional-based hierarchy is called an object structure. A business object can have zero to many object structures associated with it." (see col. 4, line 42 - col. 5, line 6)

Applicant respectfully disagrees. After a careful review of the foregoing excerpts and the remaining Lunt reference, it is clear that there is simply not even a suggestion of a second list of attributes including a second grouping attribute, as claimed, associated with each of the attributes of the second list, where the grouping attribute functions as claimed to update security programs, in the claimed manner.

Again, applicant respectfully asserts that at least the first element of the *prima facie* case of obviousness has not been met.

A notice of allowance or a specific prior art showing of each of the foregoing features, in combination with the remaining claim elements, is respectfully requested.

All of the independent claims are thus deemed allowable for the reasons set forth hereinabove. Moreover, by virtue of their dependence on such claims, all of the remaining dependent claims are also deemed allowable.

A notice of allowance is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P251).

Respectfully submitted,

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